THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.24455 OF 2006

ORAL ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Transport, appearing for the respondents.

This writ petition filed seeking a declaration that the action of the respondents in seizing and detaining the petitioner's vehicle i.e., bus bearing registration No.AP.03/T.3511 vide vehicle check report No.3262677 dated 18.11.2006, is arbitrary and illegal.

The check report dated 18.11.2006 shows that the vehicle was seized on various allegations. Since enquiry is required to be conducted by the competent authority into the said allegations, following due process of law, it is not necessary for this Court to express any opinion as to the correctness of the said allegations.

However, pending such enquiry, I deem it appropriate to direct the respondents to release the vehicle in question, subject to the condition that the petitioner deposits a sum of Rs.10,000/- (rupees ten thousands only), apart from paying the tax due, if any, as on today. The petitioner shall also furnish an undertaking that he will not alienate, transfer, encumber or create any third party interest over the vehicle in question till final orders are passed and produce the same as and when required by the respondents. It is made clear that the amount deposited in pursuance of this order shall be subject to the further orders that may be passed in the enquiry.

With the above directions, the writ petition is disposed of. No costs.

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24th November, 2006. **(G. ROHINI, J.)**

Operative portion by wire.

kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.24455 OF 2006

24th November, 2006.

Between:

Smt. R. Maheswari. .. Petitioner.

And

Motor Vehicle Inspector,
Tirupathi, Chittoor district
and another. .. Respondents.